

Rail Corporations Act 1996

DYNON TERMINAL ORDER

ORDER IN COUNCIL

The Governor in Council under section 38B of the Rail Corporations Act 1996 on the recommendation of the Minister hereby makes the following Order.

1. Citation

This Order may be cited as the Dynon Terminal Order 2005.

2. Interpretation

In this Order:

Where a term used in this Order is defined in the *Rail Corporations Act 1996*, it has the meaning given to it in the *Rail Corporations Act 1996*.

Dynon Intermodal Terminal Lease means the agreement entitled the “Dynon Intermodal Terminal Lease” entered into by Victorian Rail Track and Freight Victoria Limited (ACN 075 295 644) on or about 29 April 1999, and including amendments made as at the date of this Order.

Dynon Terminals means:

All terminals or part thereof located at those parts of the Dynon precinct listed below, as represented by the hatched area on the plans in Schedule A:

- (i) the land set out in the Schedule to the Dynon Intermodal Terminal Lease;
- (ii) the land delineated and coloured blue and red on the plan contained in Schedule 1 to the South Dynon Lease;
- (iii) the Victrack common user area, comprising:
 - A. Dynon lot 75;
 - B. South Dynon lot 86;

- C. the North Melbourne Creek sidings at lots 2 and 9;
- D. the North Dynon agents' sidings at lots 83, 87 and 78;
- E. the South Dynon W track.

(See Note 1.)

South Dynon Lease means the agreement entitled the "South Dynon Lease" entered into by Victorian Rail Track and National Rail Corporation Limited (ACN 052 134 362) on or about 15 February 1999, and including amendments made as at the date of this Order.

3. Order

The Dynon Terminals are declared to be rail infrastructure for the purposes of Part 2A of the *Rail Corporations Act 1996*.

4. Commencement

This Order comes into effect on the day section 5 of the Transport Legislation (Further Amendment) Act 2005 comes into operation.

Note

1. Track and sidings within those terminals are rail infrastructure under the definition contained in section 3(1) of the Rail Corporations Act 1996 and are therefore not the subject of this Order.

NB: The note above does not form part of the Order.

Dated:

Responsible Minister:

PETER BATCHELOR
MINISTER FOR TRANSPORT

Clerk of the Executive Council

